

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 665 - HB 920

March 29, 2021

**SUMMARY OF ORIGINAL BILL:** Adds cerumen management to the authorized scope of practice to be performed by a licensed hearing instrument specialist under the Council for Hearing Instruments Specialists (Council).

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

**SUMMARY OF AMENDMENT (006203):** Deletes all language after the enacting clause. Adds cerumen management to the authorized scope of practice to be performed by a licensed hearing instrument specialist under the Council for Hearing Instruments Specialists (Council). Requires a licensed hearing instrument specialist (specialist) to: (1) follow regulations established by the Council regarding cerumen management; (2) carry appropriate professional liability insurance before performing cerumen removal; and (3) maintain proper infection control practices.

Sets out criteria for when a specialist is required to refer a patient to an otolaryngologist or a licensed physician. Prohibits a specialist from requiring a patient to sign a form that eliminates liability if the patient is harmed.

Authorizes specialists who hold a certification of a cerumen management course approved by the International Hearing Society to practice cerumen management, or the removal of impacted ear wax. Requires courses be overseen by a physician and consist of at least six hours of practicing techniques.

**FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:**

**Unchanged from the original fiscal note.**

Assumptions for the bill as amended:

- Pursuant to Tenn. Code Ann. § 63-17-201, hearing instrument specialists are authorized to sell and instruct hearing instruments and make an impression of the ear or ear mold.
- The proposed legislation would authorize hearing instrument specialists who hold a certification of a cerumen management course approved by the International Hearing Society to practice cerumen management, or the removal of impacted ear wax.

- According to an October 16, 2020, public meeting of the Council, hearing instruments specialists are not currently authorized to remove impacted ear wax and must send patients to a medical physician if the practice is required.
- The proposed legislation would authorize an additional scope of practice for current licensed hearing instrument specialists, but would not increase the number of specialists licensed by the Council.
- The International Hearing Society has a public course available for cerumen management; however, it is assumed any fees associated with receiving certification of completion of such course would be paid to the third-party provider.
- The Council can accomplish any necessary rulemaking to adhere to the provisions of the proposed legislation within existing resources.
- Pursuant to Tenn. Code Ann. § 4-29-121, all health-related boards are required to be self-supporting over a two-year period. The Council for Hearing Instruments Specialists had an annual surplus of \$24,645 in FY18-19, an annual surplus of \$18,749 in FY19-20, and a cumulative reserve balance of \$78,177 on June 30, 2020.

### **CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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